FOLEY'S FINE PAID AND HE IS FREE.

Young National Guardsman Released Through the Journal's Efforts.

Even the Warden Was Glad a Friend in Need Had Secured His Release.

Went at Once to His Home, Where Guard? His Widowed Mother Gave

Him a Sweet Welcome.

Michael Cusick, the Private of the

Twelfth, Is Also a Free Man-But Plunkett Prefers to Serve Out His Time.

full because he fulled to pay a fine of \$8.87 which a de wouldn't let me out, and so I went to

marshal for my regiment and he knew me, such confinement

to get a good dinner? In the jail we had locked up in Ludlow Street Jail for fail-coffee and bread for breakfast and tea and ling to pay \$15 fines for non-attendance don't know what they call it; it was some order from Colonel Heman Dowd, com-kind of fish. It wasn't a fish stew, for I mander of the regiment. Cusick's father had to eat it with a spoon. Oh, it was had haunted the armory, at the corner of nicely cooked and was good clean food, Columbus avenue and Sixty-second street, but it didn't do much to stop a big truck- nearly all night, half crazed at the idea man's hunger.

"What's your opinion of the National

THANKS FOR THE PAPER'S AID, couldn't afford to keep up the dues or man down. The boy will not be twenty spare the time to go to the drills.

regiment I had a first-class job. I was among his comrades, making \$18 and \$20 a week. Then my employer falled and I didn't have the luck to get another good job. I had to take what I could get and that only amounted to hard Hugh Foley, the sole support of a widowed mother and ly half my old earnings. So I had to get thirteen year-old sister, was constant in Ludlow Street out of the regiment or go to jail. They Juli because he failed to pay a fine of \$8.87 which a de-linquency court of the Ninth Regiment, N. G. S. N. Y., had administered. Faley claimed that he was unable to attend drills owing to he having to work overtime to carn cases to me poort his family.

Wouldn't let me out, and so I went to juil. What kind of a law is it that sent me there? It's all right for the fellows who can go to drills, but I couldn't, and I didn't. Oh, it's all dead wrong."

David McAdam, Justice of the Su-preme Court: If the arrest of Hugh Foley were anything but the operation of

Hugh Foley, of Company H. Ninth Regi- Foley, when his mother's nest flat at No. ment, N. G. S. N. Y., is a free man. He no 224 West Fifty-sixth street was reached, longer occupies a cell in Ludlow Street Jail, almost ran through the main doorway, and

soon was rattling uptown, homeward stay in fall for fifteen years than pay one

ound.
"It's good to be free," he then found cent to escape that law."
Plunkett is still in Ludlow Street Jail. time to say. "I tell you, a man never He says that times are slack and he did knows what freedom is until he is shut not have any work when he was arrested. p where he can't get out when he wants and that he would rather pay his legal debt to. They were very kind to me at the by imprisonment than by outside work. It jail. One of the keepers used to be a is the second time, too, that he has suffered

and Warden Roe and Deputy Warden

Finn were kindness itself.

CUSICK OUT OF JAIL, TOO.

Michael J. Cusick, the young member of "I'm awfully hungry. Went I be glad Company K, Twelfth Regiment, who was oread for supper. For dinner we had-I at drills, was discharged yesterday on an

of his boy being a prisoner. He called to see his son at 1 p. m. yes terday, and a short time afterward a messenger arrived with the discharge pa-"I'm not down on it. It's a good thing, pers, signed by the Colonel. Cusick, Sr., and it couldn't be better. It's the laws I was waiting in the office of the jail when don't like. I suppose some people might the messenger arrived, and Warden Roe say that I had no business to join when I himself went up and brought the young one years old until May, and the fact of his It was this way. When I joined the arrest caused a feeling of indignation

JUST THOUGH HARSH Lawyers Discuss Merits

and Defects of the

do not see, however, that the law which

litin should live up to the regulations of should be great care taken that the workings of the law do not become too arbitrary. When a young man, the sole support of a helpless mother and sister, is law, an injustice has been done, and the basis of military law or any other law is

Henry C. Allen, of the Indictment Bureau in the District-Attorney's Office: The law is a bad one; a very bad one. I wish to cite a case in point. A young man, member of a Brooklyn regiment, turned out at the call of the State when the Buffalo and Brook-lyn labor strikes were raging. He performed excellent service and did his duty as a militiaman, in protecting lives and property. His services were unselfish and he performed them thoroughly. Yet that young man, after giving all this to the State, happened some time after the end of the strikes to fall to attend some of his company drills. He was jut in jail as a punishment. I say, therefore, that a law which allows such things is not a good law.

LAW FOR GUARDSMEN.

[Extracts from laws governing the Naional Guard in New York.]

Delinquency Courts are of two kinds: First-For Officers.

Second-For Enlisted Men. delinquency is a non-attendance, or being late in attendance, at any drill, parade or encampment, or meeting for instruction ordered by competent authority, of which proper information or warning has been given, or any offence which may be deemed not sufficiently grave to require the action of a general court-martial.

The fines to be administered by the court

are to be not more than \$10 nor less than \$5 for each delinquency of officers, and not more than \$5 nor less than \$1 for en-

I don't think that a man ought to be sent to jail except in extreme cases. Three weeks ago I was ûned \$1.25 for not going to Creedmoor for ride practice, and had to pay it, or I would have gone to jail. Then there is camp duty. It is necessary, I admit, but I lost a job last Summer because I had to go to Peekskill. This talk about employers not discharging their men for obedience to National Guard duty is rot. The wholesale store men and some of the big retail stores may give a man leave of absence, but does not go with mechanics. had not gone to camp I would have been fined \$40. I escaped the fine and lost my job. All I have been able to earn since then has been \$15, that I picked up in odd jobs. I would like to

see the jail go. 0. Olsen, corporal, Company K. Twelith Regiment: The Ludlow Street Jall law for National Guardsmen ought to be taken off the statute books. It has been the cause of a great deal of cruel treatment for men who were unfortunate, and I do not think the men in the National Guard of New York are of the calibre that a punishment of that kind is the only restraint that can effectually be put upon disregard of the regulations, - 1 do not criticise the officers for enforcing the law, but I think that the service would not be injured to any alarming degree by repealing it. One of our men went down to the jull to-day, I under-stand. I don't know anything about his case, but it seems hard to send him there.

James Day, corporal, Company K. Twelfth Regiment: I believe in living up to the regulations, but a man sometimes gets into such circumstances that it is practically impossible for him to fulfil his duties to the regiment. It seems to me ridiculous to expect a work ing man dependent upon his daily wages to pay fines when he is locked up in fail and deprived of the power to carn any money. Besides, the enforcement of this law costs the State something in the course of a year, as \$1 a day has to be paid for keeping the prisoner in jail. I would like to see some change, and I am sure the majority of the privates in every regiment would also,

James Wilson, private, Company K. Twelfth Regiment: The Ludlow Street Jail law does not do any good, in my opinion, and sometimes it works harm its repeal would not be detrimental to the efficiency of the Guard. Most of the men in this regiment are workingmen, and they are not in a position to stand the infliction of fines; but, what is worse, they can't stand a term in jail, loss of their places and inability to look for a

Charles Zotz, private, Company K. Twelfth Regiment: I lodorse the opinion of Corporal Olses. I don't think a man ought to be sent to jail for nonpayment of dues or fines. The dues merge into fines, so practically, in many instances, the fines are dues, and I am opposed to the infliction of prison punishment for failure to pay them. No man should be sent to Ludlow Street except in the worst cases. The repeal of the present law would be welcomed by the men in the poorer regiments, I am sure, and we have just as much pride in our efficiency as the Seventh's men have

VIEWS OF THE 22D, always grave and stately in his demeanor and that of the United States. The Sen-Men Condemn Confinement of

Delinquent Comrades. J. B. Graham, corporal, Company K, Twenty-second Regiment: I would like to see the confinement of mem-beys of the National Guard in Ludlow Street Juli for non-payment of new rec pealed. These fines are any sink in y cases, for non-payment of dues, and practically a man is sent to fall because has not paid his dues. It is a cruel law, and ought to be discontinued. Some other method of maintaining discipline might

Charles R. Henriques, private, Company K. Twenty-second Regiment: Abolish the Ludlow Street Jall law, say 1. If a man cannot pay his dues, or wont pay them, expel him. I have been in the National Guard affect years, and I don't think fear of going to jall has had any beneficial effect upon any man who was worth retaining in the service. The law ought to be got rid of.

James S. Maher, private, Company K, Twenty-second Regiment: The sending of men to Ludlow Street Jall is an antiquated way of punishment for offences not serious enough to warrant Expulsion ought to be equally effective. Any man fit to do good service will pay his dues, and if he does not there will be no use in sending him to jail. Get rid of him, and fill his place with a better man, and one able to carry

Leroy Ferry, private, Company K, Twenty-second Regiment: Expulsion seems to me to be as effective a way of disciplining the Guard as imprisonment, and it would keep up the tone of the regiment. No man who has to go to jail ever feels the same when he gots out. I would like to see the law changed, or if that is impracticable, abolished. There is no use confining a poor fellow in jail who has not got the few dollars neces-sary to pay his fine, and keeping him there until he has been scared into a promise to do better in future. Of course he will promise, but I don't think the morale of his company will be elevated by his experience.

FIFTY MEN CEASE FEEDING.

or an increase of wages. The police were lence sent for, as trouble was feared, but no

olice force were sworn in as members then there would be no trouble of the Brooklyn Police Department yester day. Young Jacob Worth, who was cap tain, was offered a patroiman's shield, but he declined it and refused to be sworn in. He is a nephew of Jacob Worth, the Republican leader.

Grant Brooklyn Police Department yester day. To be a doctor, because the eye of America would then be upon it. In less than a week after that the Committee on Foreign the doctor of the favorite cathartic.

Hood's Pills Easy to take, Easy to operate. 25 cents.

SENATOR FRYE'S ROUSING APPEAL.

He Wants Congress to Ask Russia to Occupy Armenia.

The United States Would Support Her in the Protection of Christians.

American Citizens Should Be Protected in Turkey and Everywhere at Any Cost.

WHERE HE ADMIRES GREAT BRITAIN.

When an English Subject Was Made Captive by the Abyssinians 8,000 Soldiers Were Sent to Release Him from Theodore's Dungeon.

garding the Armenian atrocities and their favor of these resolutions as an expressi relation to the United States. The Senate to-day passed Mr. Cullom's concurrent resolution pledging the support of Congress "In any policy that then President may undertake, however vigorous," where the powers of Europe have waited a solid year, looking each other in the face with suspicious eyes and not darmay undertake, however vigorous, memorialize Europe as benefit," I would have Congress memorialize Europe as yet to be referred. for the protection and security of Armenia into your possession. Protect the American citizens in Turkey and lives of the Christians there, and the upon the persons or property of United States of America will stand behind said citizens"

this resolution and the President shall to act. American citizens are suffering properly instruct our Minister at Constantier. I care not what our Minister rethople, he will under authority grant him ports to the Shite Department. I know from a better authority than Minister Ter-by the sublime Porte, as made known to the State Department to-day, secure admis- Foreign Missions of the United States that sion to the devastated regions of Asia Mi-nor for Clara Barton and her associates.

When her parts of relief leave the

they will learn that their safe conduct is in the interior of Armenia. I know that citizens of this land do not receive the protection of the Turkish Government there. under the emblem of the cross. They will "If Great Britain owned a college worth the safety of the ladles.

had its inning yesterday, and to-day the been protected?" been protected?" Mr. Mills "There is some difference beported from the Committee, and spoke armed power of this Government. It is with deep feeling about the massacres that

sacrificed and whose property had been burned, were many American citizens.

He insisted that it was time for the United States to take some action, but

Governments I would send swarships and bombard their scaports, as Jefferson did in 1802."

SENATOR FRXE LOVES NOT ENGLAND.

Mr. Frye—"I have no doubt that the Sen-

second sections of that treaty between the England so eloquently uttered by the junior Ottoman Empire and Great Britain, Ger- Senator from Colorado; but I dissented many, Austria, France, Italy and Russia. from almost every word of the speech. I do not love Great Britain. I recognize her

to Christian subjects full liberty of re-ligious worship; that the American people have heard with horror of the recent out-

municate these resolutions to the GovernThe firm employs about 200 hands, inments that signed the treaty. Then folconcerned, I would protect them there and powers longer hesitate to act.

LET RUSSIA TAKE ARMENIA.

TO AID THE TAILORS.

Confectioners' and Cake Bakers' Union No. 7, at its last meeting, held on Wednesday night, decided to aid the Jocked-out Xenst Side tailors. With this end in view the Joint Agitation Committee of the bakers' unions was asked to give funancial aid to the locked-out men.

Nitrous Oxide Tank Explodes.

The residence of Dr. Otto H. Albanesius, No. 376 Central avenue, Jersey City, was destroyed by fire shortly before midnight. Thursday. The loss was \$15,000, fully in-Thursday. The loss was \$15,000, fully in-sured. The fire started in the Doctor's from Armenia, both of whom I knew peraboratory, A 600-gailon tank of nitrous sonally, and one of whom was formerly a mittee that in their judgment if a consulate Accession to Brooklyu's Police. could be established at Erzeroum and apother at Harpoot and Cousuls appointed. of the Brooklyn Police Department yester great interior, because the eye of America Caused by torpid liver is promptly refleved

"Surely Bie committee and Congress did everything then as expeditiously as any-body could ask, and did exactly what the nissionaries desired should be flone. Turkey refused exequaturs to those two Consuls. I do not know what the executive deartment has done or can do as to that refusal, but pressure ought to be brought so that when there can be no objection to the persons appointed as Consuls the exequatur shall be granted.

appointed to Harpoot had been received by Turkey and had gone to that city, if a consular building imd been provided and an American flag faised, more than 20,000 lives might have been saved. One of the nost terrible massacres perpetrated anywhere in Turkey took place at that point. "The good people of the United States have expended in Turkey over \$6,000,000 for one single purpose—to improve and better the condition of the people of that country. They have erected as fine colleges as there are in the world, which are maintained by American money. They have educated thousands and hundreds of thousands of Turks, or Armenians who are subjects of Turkey. It has been a work of wonderful benefit, a work that has had a marvellous success, and yet it is absolutely stopped to-day. That American capital is now held up. At Harpoot the American colleges were burned down and Americans Washington, D. C., Jan. 24.-Two very were compelled to flee for their lives.

Consider this incident. If the Consul

President of the United States appointed

important events have occurred to-day rememorialize Russia and say to her, Take you with all its power.

If the House shall on Monday concur in would wish passed. It is high time for as When her party of relief leave the that American citizens and American propsteamer at Southampton on Tuesday next erty are being interfered with day by day

probably be safer if they do not go as Red \$1,000,000 at Harpoot, and by Turkish or-Cross deliverers, because the fanatical feeling of the Moslems is so intense that noth-jects—had been compelled to fee for their ing short of an armed convoy could insure lives, does Senator Mills believe that the the safety of the ladies. sflent? Does he believe that a demand Patriotism broke out in the Senate to- would not have been made at once for damday in a new form. The Mouroe doctrine ages for the destruction of that property, had its inning yesterday, and to-day the and that British subjects would not have

thusiastic indorsement. Senator Cullom, tween the Government of Great Britain when addressing his fellow members, called up his resolution which had been re-ported from the Committee, and spoke have shocked the civilized world. He de. can make war whenever he pleases. If my have shocked the civilized world. He de can make wat the for war I do not know clared that more than two hundred vii but that I would go with lifm. Wherever lages had been utterly destroyed; that the people of the United States residing in among the people whose lives had been foreign countries are not protected by those

that appeal should first be made to the in his theory about the protection of Amerigovernments of Europe that had signed the can citizens. I do not cite Great Britain because I am fond of her. (Everybody) He then quoted the sixty-first and sixty- looked toward Schator Wolcott.) One could The Sublime Porte undertakes to carry out without further delay the ameliorations and reforms demanded by local requirements in the provinces inhabited by the Armenians, to guarantee their security against the Circassians and Kurds. It will periodically make known the steps take to this effect to the Powers and will superiatend their applications.

"The Sublime Porte undertakes to carry on hand, her magnificant dominion on the seal but I assert that in all our life, as colony and republic, sie has never done us a kind act or offered us a helping hand. While we were hers her conduct toward us was antagonistic to all our interests, repressive of our industries, domineering, unjust and despotic, so that we were contracting parties take note of this spontaneous declaration. All persons shall be admitted, without distinction of religion, to give evidence before the tribunals. Liborty and the outward exercise of full forms of worship are assured to all, and no hindrance shall be offered either to the hierarchical organization of the various communions, or to their relations with their spiritual chefes."

The resolution further declares that the

their spiritual chiefs."

The resolution further declares that the country stone should be slavery forever—she intent and object of these provisions are was prompt to recognize its belligerent to place the Caristian subjects of the rights; aided France to establish a mon-Porte under the protection of the other built, fitted out and manned ships to designatories of the treaty and to secure stroy our commerce; did all in her power

have heard with horror of the recent ourrages and massacres of which the Christian
population of Turkey have been made the
victims, and the Senate and House of
Representatives of the United States, in Want More Wages for Working Wynkoop & Hallenbeck's Presses.

Fifty press feeders employed by Wyntkoop & Hallenbeck, at Pearl and William streets went on strike yesterday afternoon in the hand of fanaticism and lawless vio once to take possession of Armenia and the The President is then requested to com- United States would back her in doing it.

cluding compositors, pressman, feeders, stereotypers and others. The firm has lart signed the sting on the end quoted above stereotypers and others. The firm has large contracts for State princing, and it was said yesterday that the compositors might strike in sympathy.

In the first paragraph, which breathes determination to enforce justice if the other powers longer hesitate to act.

LET RUSSIA TAKE ARMENIA. LET RUSSIA TAKE ARMENIA.

Senator Frye said: "It has been indicated to be closed to our ships, not one. On the

> Jersey City Water Co. to Appeal. The Jersey City Water Company

oxide exploded while the department was resident of my own city. They stated the \$8,000,000 contract with Jersey City for a at work, and Fireman Beecher, of No. 12 engine, was badly burned about the face and hands. The fire was the fourth to occur within two years, and incendiarism gent a remedy, and they said to the compared. Notice will be supported.

Nausea



FOLEY SENT FOR. Then Warden Roe turned to Deputy crowded around him and welcomed him Warden Flan, who had taken an interest in home.

ANXIOUS TO GET HOME.

to Evelor of Journal January 24 1896
Co wish to think you in landing
me to Day 9 wish you Success
in your amount against Locking
up once amount of thes
mare wome mulitar men

Hugh O Dolly

young Foley, and requested him to send to "It's glad we are to see you back," said the cell in which the young truckman was one bright-eyed young woman. confined. Soon Folcy appeared in the Warden's private office, his face plainly revealing his bewilderment. He could not understand why Warden Roe was smiling.

"You are a free man, Hughi," Warden Roe when you left, Hugh, and our little stand why warden Roe. sald kindly.

"Yes," added Deputy Warden Finn, "I "Never mind, mother," cheerily, said mso.

am giad to let you out, Foley. But don't Hugh. "I have my job yet. I'll go back forget that if it hadn't been for a good to the cast to-morrow morning, and we District-Attorney and member

For several seconds Foley could hardly understand his good fortune. When he gears of age, was not the sole support of finally did his face lighted up wonsignfully, "I am a rough sost of a fellow," he said, "and I don't know how I can express just what I feel. I am thankful thereby the life in Lindley Street Lat! The best could be supported in finally did not street and the sole support of his family and when he was arrested on January 16, upon a delinquency warrant, his family did not street lat! The best could be supported by the sole support of his family and when he was arrested on January 16, upon a delinquency warrant, his family did not street late. what I feel. I am thankful, though. Do thou in Ludlow Street Jail. The judgment

simost ran to the Grand street station of "Fourteen dollars is a good deal of money the Second svenue elevated road, and to earn." Plunkett said, "and I'd rather

with neighbors. Other mothers cried in sympathy with Mrs. Foley, and everybody

FOCEY THANKS THE JOURNAL FOR HIS FREEDOM.

stock is almost gone."

friend you would have had to serve here will be all just as if it had nover happened twenty days."

against Plunkett is for \$14, and although
his brother-in-law offered to pay it he
trict-Attorney: I think that disci-Foley was so auxious to go home that he refused to allow him to do so.

THE JOURNAL'S REPRESENTATIVE How Hugh Foley Left Ludlow Street Jail.

HE THANKS

The young National Guardsman who had been imprisoned for his failure to pay a fine for not attending drills was released yesterday. His fine was paid by the Journal, and Foley hastened to his home, where he was welcomed by his anxions

HUGH

TOLEY

first place we must take into considera-tion the fact that when a citizen joins the National Guard he takes upon him-melf, with his eyes open, all the laws which govern the organization he has joined. He must therefore be guided by them, and while it is possible that in some cases the law may be an injury to him, it is really his own fault if he is injured. If Foley had appealed to the court which had sentenced him and stated his position I hardly think he would have

John H. V. Arnold, Surrogater Ther are two sides to be considered in this question. First, there is the legal side. I take it that the law was not make without its having first been advocated by prominent military men all over the State. These men knew the situation and they knew the demands of the National Guard of this State, so that I can hardly believe that they favored an unjust law. On the other hand, there is the senti-mental side. I never yet knew any law which made imprisonment for debt possible to end in the collecting of many debts. The Stillwell act, for instance, was on the statute books for years. was a severe law, calling for a lengthy imprisonment for debt, yet when it was abolished no one cried. Possibly that might be the effect in case the present military debt imprisonment law was abolished. But, after all, it is a question for military men and not for civilians to decide. My opinion is only that of a lay-

of the Seventh Regiment, N. G. S. N. Y.: In my opinion it is a good law, but it is at the same time a law which should be administered in the most careful manner lest hardships to citizens result. I have yet to hear of a member of the Seventh Regiment to be imprisoned for non-payment of any fine administered

pline must be maintained in the National Guard, and a law which does this is a proper one. Aman who joins the State mi-

then a special official warrant shall be drawn up, showing the sums imposed as fines or penalties, which shall be sent to any marshal of the court, or to the Sheriff or constable of any city or county, comproperty of the delinquent;

a common jail without ball for the term of two days for any fine not exceeding \$2, and two additional days for every dollar above that sum, but no delinquent shall be confined for more than twenty

OBJECT OF THE LAW.

Albert Henderson, private, Company G. Twelfth Regiment: If it were not for the law providing for the Imprisonment of members of the National Guard in Ludiow Street Jail our ranks would be much fuller. I know a great many young workingmen, who would make good full tiamen, who would join the ranks if it were may for the control of the control

the ranks if it were not for that. They have told me so. To a young fellow working for wages if is pretty hard to attend all the drills, and when the fines mount up he cannot pay. I am heartily in favor of the ropenl of the Ludlow Street Juil law. It can't make a man pay up if he has not the money, and it frightens away a lot of good National Guard material.

J. C. Earl, private, Company, G.

Hated men. After the meeting of the Delinquency Court, the President of the Court shall, within twenty days after the expiration of the time (twenty days) in which an appeal is allowed or provided, make a list of all

manding him to levy such fines upon the default of sufficient property to pay such this or fines, the arrest of the delinquent, may follow, and he shall be committed to

days on any one warrant. tt is also discretionary with a commanding officer to, after a term of imprisonment is served, dishonorably discharge a delin-quent from the National Guard of the State of New York.

Men in the Twelfth Express Their Opinions Strongly.

Twelfth Regiment: Discipline is all right, but these fines come pretty hard on a fellow working for wages, and